

JAN 25 2007

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FACSIMILE COVER LETTER

To: Examiner: Pond, Robert M.
Firm: U.S. Patent and Trademark Office
Facsimile: 571-273-8300
From: Thomas F. Presson
Date: January 25, 2007
Re: U.S. Serial No. 09/936,882
Art Unit: 3625
Our Ref.: 450126-04025

Number of Pages: 3
(including cover page)

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U.S. Application Serial No.: 09/936,882

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450126-04025

JAN 25 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants : Ken Kutaragi, et al.
Appl. No. : 09/936,882
Filed : February 21, 2002
Title : FLEXIBLE LICENSE PAYMENT METHOD FOR
ELECTRONIC COMMERCE SYSTEM
Art Unit : 3625
Examiner : Pond, Robert M.
Confirmation No. : 2953

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I hereby certify that this correspondence is being transmitted via facsimile to (571) 273-8300 on.
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<u>[Signature]</u> Signature
<u>January 25, 2007</u> Date of Signature

RESPONSE TO COMMUNICATION RE: APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Communication Re: Appeal mailed on December 28, 2006,
having a one-month statutory period for response set to expire on January 29, 2007 (January 28,
2007 being a Sunday), Appellants' Attorney Thomas F. Presson (Reg. No. 41,442) conducted a
telephone interview with Examiner Robert Pond on January 23, 2007. During the interview, it
was agreed that the Appellants' Appeal Brief, as submitted, was in response to the outstanding
Final Rejection of October 25, 2005.

U.S. Application Serial No.: 09/936,882

PATENT
450126-04025**REMARKS**

Thus, the Communication mailed on December 28, 2006 which characterized Appellants' Appeal Brief of September 29, 2006 as not acceptable was in error. The Examiner confirmed that the Appeal Brief, as submitted, was proper in response to the Final Office Action of October 25, 2005.

Accordingly, the Examiner agreed that the Appeal Brief of September 29, 2006 was proper and will be considered.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Appellants

By:



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